

Administration of Barack Obama, 2016

Remarks During a Teleconference Call on the Nomination of Merrick B. Garland To Be a United States Supreme Court Associate Justice

March 17, 2016

Hey, everybody. Thanks for joining the call. I'm not going to be long because Valerie and others are giving you some of the background on this.

As you now know, I nominated Chief Judge Merrick Garland of the DC Circuit to serve as the next associate justice on the Supreme Court. This is not a decision I ever take lightly. I've now seated two Supreme Court justices; this would be the third. The men and women on the Supreme Court, they're the final arbiters of our laws. And it means that this is one of those moments where you have to rise above short-term politics and think about the institution of the Court and the institution of the Presidency and how does our democracy work.

I chose Chief Judge Garland because this guy is as well qualified as anybody who's ever been nominated to the Supreme Court. That's not just my opinion, that's pretty much a universal opinion. He possesses one of America's sharpest legal minds. He brings a spirit of decency and modesty and integrity and evenhandedness to his work. His work is excellent. He is somebody who has worked as a prosecutor. As you know, he is somebody who not only helped lead the investigation around the Oklahoma City bombings, but did so in a way that showed enormous compassion towards the people who had been impacted.

He's been praised by Republicans and Democrats. During his original confirmation process when he was put on the DC Circuit, majorities of each party supported him. Republican Senator Orrin Hatch, who has been the chairman of the Judiciary Committee, said, "In all honesty, I would like to see one person come to this floor and say one reason why Merrick Garland does not deserve this position." I couldn't agree more.

And the Constitution is clear that it's my job as President to nominate candidates to the Supreme Court. It's the Senate's job to give them a timely hearing and an up-or-down vote. I fulfilled my constitutional duty yesterday, and I expect now the Senate to do its job, as well. And the American people deserve no less.

But in order to make this happen, I'm going to need your help. Republican leaders have said they believe the American people should have a say. Well, the American people did have a say back in 2012 when they elected me President. And they had a say when they elected the current Senators as Senators. They didn't add a caveat that said we want you to be President except for your last 300 days in office when you don't have to fulfill your duties. And they didn't elect Senators and say, you know what, this is only a three-quarters or a half a term; you get elected for the full term, and you're expected to do your job during that entire time.

So the American people have already had a say, but now what we need to do is make sure the American people will remind Senators that they have a job to do. Senators that are trying to obstruct the process need to be told that we expect the Supreme Court to be above partisan politics and that the Court should be operating at full capacity to help the American people.

So you've got somebody with unimpeachable credentials, somebody the Republicans have themselves acknowledged is qualified. I have made this nomination. The Court needs to have an additional justice in order to be able to weigh on some of the most important issues that affect everybody's lives: our voting rights; our freedom of speech; issues like immigration;

issues like our environment, clean air and clean water; issues of workplace safety. And the notion that somehow we would suspend all that because it's an election year is not in the Constitution, and it's not been our tradition.

And by the way, I think everybody on this call recognizes the election season lasts longer and longer every time. So the election season started 6 months, 9 months, a year ago. Are they suggesting somehow that we should have suspended our work in December or in June of last year, when the Presidential candidates were already running around Iowa? I'm assuming that's not the argument they're making.

And as Valerie already pointed out, it's not as if we haven't had Supreme Court nominees confirmed during election years before. The difference is, typically, it's been Republican Presidents making the nominations and Democratic Senates—or Democratic majorities in the Senate who have confirmed them. And what we're asking is simply that the Senate acts fairly in dealing with an outstanding individual who deserves to be on the Supreme Court.

Be fair. That's something we all learned in kindergarten, and it's something that the American people I think understand should apply when it comes to the highest court in the land and how we make sure that our democracy and our judicial system work.

So make yourselves heard. Let Senators know that this is something that you care deeply about. And it goes beyond just the typical partisan disagreements that we have; this has to do with the integrity of our system of government. And it's something that I care deeply about, and I'm going to make sure to fight for for the remainder of my term as President. And I hope that you're right there with me. Okay?

Thank you so much, everybody.

NOTE: The President spoke at 12:18 p.m. in the Oval Office at the White House. In his remarks, he referred to White House Senior Adviser Valerie B. Jarrett; and Associate Justices Sonia M. Sotomayor and Elena Kagan. Audio was not available for verification of the content of these remarks.

Categories: Appointments and Nominations : U.S. Supreme Court, Associate Justice, teleconference call.

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